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LETTER DATED 26 MARCH 1999 FROM THE PERMANENT REPRESENTATIVE OF GERMANY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to draw your attention to the statement issued on 25 March 1999 by the European Council concerning Kosovo (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Dieter KASTRUP
Permanent Representative of
Germany to the United Nations

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Annex

[Original: English/French]

Statement issued on 25 March 1999 by the European Council concerning Kosovo

The European Council is deeply concerned about the failure of the mediation efforts undertaken by Ambassador Holbrooke and the three Rambouillet process negotiators, Ambassadors Hill, Majorski and Petritsch with the President of the Federal Republic of Yugoslavia, Slobodan Milosevic. The common objective of these efforts was to persuade the Federal Republic of Yugoslavia to accept a ceasefire in the Kosovo and a political solution to the Kosovo conflict in order to stop a humanitarian catastrophe in Kosovo.

Over one quarter of a million Kosovars are now homeless because of the repression carried out by Belgrade's security forces. Sixty-five thousand have been driven from their homes in the last month, 25,000 since the peace talks broke down in Paris last Friday. While the Kosovo Albanians signed the Rambouillet Accords, Belgrade's forces poured into Kosovo to start a new offensive. Since the outbreak of hostilities in Kosovo in March 1998, around 440,000 people, more than one fifth of the population of Kosovo, have fled or been displaced. There are new victims every day. The civilian population is the target of the hostilities.

The international community has done its utmost to find a peaceful solution to the Kosovo conflict. In Rambouillet, and most recently in Paris, intensive efforts have been made after months of preparations to negotiate an agreement for the self-government of Kosovo which is fair for both parties to the conflict and which would ensure a peaceful future for Kosovo Serbs as well as Kosovo Albanians and all other national communities. The draft agreement, which was signed by the Kosovo Albanians in Paris, meets these requirements: on the basis of the sovereignty and territorial integrity of Yugoslavia, it assures Kosovo a high degree of self-government, guarantees the individual human rights of all citizens in Kosovo according to the highest European standards, envisages extensive rights for all national communities living in Kosovo and creates the basis for the necessary reconstruction of the war-torn region.

The Yugoslav leadership under President Milosevic has persistently refused to engage seriously in the search for a political solution. It has presented the Yugoslav people with a distorted picture of the issues and course of the negotiations. In addition, the Serb police and Yugoslav Federal Armed Forces have, in the last few weeks, massively reinforced their presence in Kosovo, thereby further exceeding the ceilings set out in the Holbrooke-Milosevic agreement of 12 October 1998. Finally, the Yugoslav security forces are conducting military operations against the civilian population in Kosovo in contravention of the provisions of United Nations Security Council resolution 1199 (1998).

On the threshold of the twenty-first century, Europe cannot tolerate a humanitarian catastrophe in its midst. It cannot be permitted that, in the

middle of Europe, the predominant population of Kosovo is collectively deprived of its rights and subjected to grave human rights abuses. We, the countries of the European Union, are under a moral obligation to ensure that indiscriminate behaviour and violence, which became tangible in the massacre at Racak in January 1999, are not repeated. We have a duty to ensure the return to their homes of the hundreds of thousands of refugees and displaced persons. Aggression must not be rewarded. An aggressor must know that he will have to pay a high price. That is the lesson to be learnt from the twentieth century.

Nor will the international community tolerate crimes against humanity. Those now persisting with the conflict in Kosovo should not forget that the mandate of The Hague Tribunal covers Kosovo. They and their leaders will be held personally accountable for their actions.

In the final analysis, we are responsible for securing peace and cooperation in the region. This is the way to guarantee our fundamental European values, i.e. respect for human rights and the rights of minorities, international law, democratic institutions and the inviolability of borders.

Our policy is neither directed against the Yugoslav or Serb population nor against the Federal Republic of Yugoslavia or the Republic of Serbia. It is directed against the irresponsible Yugoslav leadership under President Milosevic. It is directed against security forces cynically and brutally fighting a part of their own population. We want to put an end to these outrages. President Milosevic must stop Serb aggression in Kosovo and sign the Rambouillet Accords, which include a NATO-led implementation force to provide stability.

We urge the Yugoslav leadership under President Milosevic to summon up the courage at this juncture to change radically its own policy. It is not yet too late to stop the internal repression and to accept the international community's mediation efforts. The international community's only objective is to find a political future for the Kosovo, on the basis of the sovereignty and territorial integrity of the Federal Republic of Yugoslavia, which does justice to the concerns and aspirations of all the people in the Kosovo.

The Kosovo Albanians showed their commitment to a peaceful solution by signing the Rambouillet Accords. It is vital that they now show maximum restraint.

We underline that it is not our aim to keep the Federal Republic of Yugoslavia in its self-imposed isolation in Europe and the world. On the contrary, we would like to end the isolation of the Federal Republic of Yugoslavia in Europe. But for this to happen, Milosevic must choose the path of peace in Kosovo and the path of reform and democratization, including freedom of the media in the whole of Yugoslavia.

The European Council in its declaration earlier today set out the efforts which the international community had made to avoid the need for military intervention. We urged the Yugoslav leadership under President Milosevic to summon up the courage at this juncture to change radically its own policy. Now the North Atlantic Alliance is taking action against military targets in the

Federal Republic of Yugoslavia in order to put an end to the humanitarian catastrophe in Kosovo.

The Federal Republic of Yugoslavia is now facing the severest consequences, about which it was repeatedly warned, of its failure to work with the international community for a peaceful settlement of the Kosovo crisis. President Milosevic must now take full responsibility for what is happening. It is up to him to stop the military action by immediately stopping his aggression in Kosovo and by accepting the Rambouillet Accords.